

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
Charlottesville Division**

MARTESE JOHNSON,

Plaintiff,

v.

DEPARTMENT OF ALCOHOLIC  
BEVERAGE CONTROL, JARED MILLER,  
THOMAS CUSTER, JOHN CIELAKIE, and  
SHAWN P. WALKER

Defendants.

Civil Action No. 3:15-cv-00055-GEC

**CONSENT MOTION TO EXTEND TIME FOR BRIEFING**

COMES NOW Plaintiff Martese Johnson, with the consent of Defendants Department of Alcoholic Beverage Control, Jared Miller, Thomas Custer, John Cielakie, and Shawn P. Walker (collectively, “Defendants”), by and through the undersigned counsel, in accordance with Rule 6 of the Federal Rules of Civil Procedure and this Court’s Local Civil Rule 11, and hereby respectfully requests that this Court issue an Order extending the Parties’ respective deadlines on Defendants’ Motion to Dismiss Complaint, as described in the accompanying Memorandum in Support.

Enclosed with this Motion is a Memorandum in Support and proposed Consent Order for the Court’s consideration.

Defendants consent to the relief requested in this Motion and to the submission of this Motion without oral argument, pursuant to Local Civ. R. 11(b).

Dated: November 19, 2015

By: s/ Benjamin G. Chew

Benjamin G. Chew (VSB #29113)  
Joshua N. Drian (VSB #82061)  
Diana L. Eisner (*pro hac vice* application  
forthcoming)  
Attorney for Plaintiff  
MANATT, PHELPS & PHILLIPS, LLP  
1050 Connecticut Avenue, N.W., Suite 600  
Washington, DC 20036  
Telephone: (202) 585-6500  
Fax: (202) 585-6600  
[Email: [BCheW@manatt.com](mailto:BCheW@manatt.com)]  
[Email: [JDrian@manatt.com](mailto:JDrian@manatt.com)]  
[Email: [DEisner@manatt.com](mailto:DEisner@manatt.com)]

John S. Davis (VSB #72420)  
Charles E. James (VSB #46310)  
Daniel Watkins (VSB #84592)  
WILLIAMS MULLEN  
Attorney for Plaintiff  
200 South 10<sup>th</sup> Street, Suite 1600  
P.O. Box 1320 (23218-1320)  
Richmond, Virginia 23219  
Telephone: (804) 420-6045  
Fax: (804) 420-6507  
[Email: [dwatkins@williamsmullen.com](mailto:dwatkins@williamsmullen.com)]

*Counsel for Plaintiff Martese Johnson*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 19th day of November, 2015, a true and correct copy of the foregoing will be electronically filed with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to the following counsel of record:

Nicholas F. Simopoulos  
General Civil and Trial Unit Manager  
Assistant Attorney General  
Office of the Virginia Attorney General  
900 East Main Street  
Richmond, Virginia 23219  
Telephone: (804) 786-8199  
Facsimile: (804) 371-2087  
Email: nsimopoulos@oag.state.va.us

s/ Benjamin G. Chew  
Benjamin G. Chew (VSB #29113)  
MANATT, PHELPS & PHILLIPS LLP  
1050 Connecticut Avenue, Suite 600  
Washington D.C. 20036  
Telephone: (202) 585-6511  
Facsimile: (202) 637-1522  
Email: BChew@manatt.com